THE HON'BLE SRI JUSTICE B. SUDERSHAN REDDY

AND

THE HON'BLE SRI JUSTICE S. ANANDA REDDY

Date: 24—10—2005

W.P. No. 8285 of 2005

Between:

V. Srinivasa Reddy and another

…petitioners.

a n d

High Court of A.P. rep. by its Registrar (Admn.),

Hyderabad and others.

…Respondents.

THE HON'BLE SRI JUSTICE B. SUDERSHAN REDDY

AND

THE HON'BLE SRI JUSTICE S. ANANDA REDDY

W.P. No. 8285 of 2005

O R D E R: (per Sri B. Sudershan Reddy, J)

Heard the learned counsel for the petitioners and the learned Government Pleader for Revenue, appearing on behalf of respondents 2 and 3 and as well as Sri C.V. Nagarjuna Reddy – appearing on behalf of 1st respondent and the writ petition is taken up for disposal even at the stage of admission. Rule nisi.

This writ petition is stated to have been filed in purported public interest invoking the extraordinary jurisdiction of this Court seeking a writ of Mandamus directing the respondents to initiate steps to evict the unauthorized occupants in the surroundings of the District Judge's Court, West Godavari District, Eluru.

Having regard to the controversy, this Court vide its order dated 16.9.2005 directed the District Collector to file a comprehensive affidavit as to the existing state of affairs. Pursuant to the directions, the Collector is stated to have called for a detailed report from the Mandal Revenue Officer, Eluru, West Godavari District and the Mandal Revenue Officer accordingly submitted a detailed report on 1.10.2005 to the Collector. The said report is also enclosed along with the affidavit filed by the Collector. The report indicates that out of 32 beneficiaries, 21 beneficiaries are alleged to have violated the conditions of patta and converted the residential house sites for commercial purpose. In the affidavit filed by the Collector it is stated that the proposals for cancellation of pattas were submitted by the Mandal Revenue Officer, Eluru to the Revenue Divisional Officer, Eluru, who is the competent authority to cancel the pattas.

The patta holders filed W.P. No.17011 of 2005 and this Court vide its order dated 2.8.2005 disposed of the same directing the respondents to proceed against the petitioners therein after issuing notice and following due procedure. In the light of the said directions, necessary steps are stated to have been already initiated and notices were accordingly issued to the patta holders, who have violated the conditions of patta.

In such view of the matter, no further directions are required to be issued except to reiterate that respondent No.3 shall

proceed with the enquiry already initiated against the patta holders and take appropriate action in accordance with law. It is needless to issue any directions to evict such of those beneficiaries who are found to have violated the conditions of patta.

There shall be an order accordingly. The writ petition is accordingly disposed of.

That an appropriate decision in this regard shall be taken within three months from the date of receipt of a copy of this order.

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B. Sudershan Reddy, J.

_____ **S. Ananda Reddy, J.**

Date: 24—10—2005.

MVB.